

STATE OF VERMONT
HUMAN SERVICES BOARD

In re)	Fair Hearing No. 20,604
)	
Appeal of)	

INTRODUCTION

The petitioner appeals a decision by the Department for Children and Families, Office of Vermont Health Access Program (VHAP) denying his request for coverage under Medicaid for a prescription of the drug Viagra. The following facts are not in dispute.

FINDINGS OF FACT

1. The petitioner is disabled and is a recipient Medicaid. He has hernia and prostate problems and has been prescribed Viagra to address the sexual dysfunction that results from his medical condition.

2. The Department has denied coverage under Medicaid. There is no allegation or indication that Viagra has been prescribed for the petitioner for any reason other than sexual dysfunction.

ORDER

The Department's decision is affirmed.

REASONS

Effective July 1, 2006, the Department discontinued Medicaid coverage for all "prescription drugs for the treatment of sexual dysfunction". See W.A.M. § M812.1, deleted July 1, 2006 (Bulletin No. 06-01). The only exception is when such drugs are prescribed to treat a medical problem other than sexual dysfunction alone, which is not alleged to be the case in this matter. Inasmuch as the Department's decision in this matter appears to be in accord with the pertinent regulations, the Board is bound by law to affirm. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

#